

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JERRY DANIELS

PLAINTIFF

v.

CIVIL ACTION NO. 1:24-cv-256-TBM-RPM

CORBITT PUBLIC ADJUSTING, LLC, *et al.*

DEFENDANTS

ORDER

This matter came before the Court on the Motion to Dismiss [6] filed by Defendant Miles A. Corbitt and the Motion to Dismiss Certain Counts of the Complaint [12] filed by Defendants Miles A. Corbitt and Corbitt Public Adjusting, LLC. At the hearing conducted on May 12, 2025, the Court, having considered the pleadings, the record, the oral arguments of the parties, and the relevant legal authority, announced on the record its *detailed* findings and conclusions.

IT IS THEREFORE ORDERED AND ADJUDGED that, for the reasons stated on the record at the hearing held on May 12, 2025, the Motion to Dismiss [6] and the Motion to Dismiss Certain Counts of the Complaint [12] are DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that the Motions to Dismiss [6], [12] Plaintiff's Count 2 for fraud are DENIED.¹

IT IS FURTHER ORDERED AND ADJUDGED that the Motions to Dismiss [6], [12] Plaintiff's Count 3 for fraudulent transfer liability are DENIED.

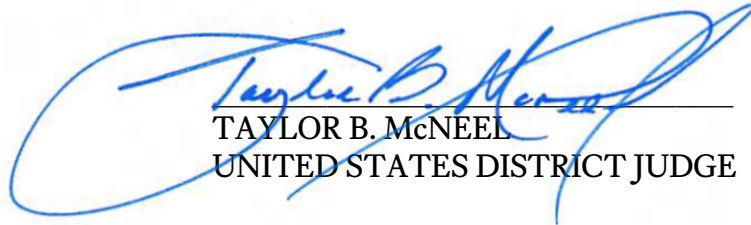
IT IS FURTHER ORDERED AND ADJUDGED that the Motions to Dismiss [6], [12] Plaintiff's Count 4 for quantum meruit/unjust enrichment are DENIED.

¹ The Motion to Dismiss Certain Counts of the Complaint [12] did not seek dismissal of Plaintiff's Count 1 for breach of contract. Also, Plaintiff did not assert Count 1 for breach of contract against Defendant Miles A. Corbitt.

IT IS FURTHER ORDERED AND ADJUDGED that the Motions to Dismiss [6], [12] Plaintiff's Count 5 for constructive trust, or in the alternative, resulting trust are DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that the Motions to Dismiss [6], [12] Plaintiff's Count 6 for accounting are DENIED.

This, the 13th day of May, 2025.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE